

In The Court Of Appeal Of The State Of California 51
Sixth Appellate District
San Jose, California

MONDAY, MARCH 18, 2002

H022468 MAGPANTAY v. RUIZ

The judgment is affirmed. Respondent shall be entitled to her costs on appeal. (not published)

(O'Farrell, J.*; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed March 18, 2002

*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

H022704 DFCS v. MELODY F., et al.

The orders are modified to strike the restriction on contact between Mr. F. and each child. As modified, the orders are affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing, J.)

Filed March 18, 2002

H021261 BROTHERS v. CYLINK CORPORATION, et al.

The trial court correctly sustained, without leave to amend, the demurrer to the fraud and negligent misrepresentation causes of action. Summary adjudication was properly entered on the cause of action for wrongful termination in violation of public policy.

We reverse the judgment on the grounds that triable issues of material facts exist on the causes of action in the third amended complaint for breach of implied and express contract and breach of the implied covenant of good faith and fair dealing.

The parties shall bear their own costs on appeal. (not published)

(O'Farrell, J.*; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed March 18, 2002

*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

In The Court Of Appeal Of The State Of California 52
Sixth Appellate District
San Jose, California

Monday, March 18, 2002 (continued)

H021786 NARAYANSWAMI v. NARAYANSWAMI

The judgment is affirmed. Husband shall be entitled to his costs on appeal. (not published)

(O'Farrell, J.*; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed March 18, 2002

*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

H021026 PEOPLE v. MIZNER

H023553 In re ANTHONY ROBERT MIZNER on Habeas Corpus

The judgment is affirmed. The Director of the Department of Corrections is ordered to show cause before the San Benito Superior Court why petitioner's petition for a writ of habeas corpus should not be granted on the ground that trial counsel rendered ineffective assistance based upon (1) counsel's failure to advise petitioner regarding whether the proffered eight-year plea bargain appeared to be desirable; and (2) counsel's failure to argue at sentencing that all but one of petitioner's prior strike convictions for arson should be stricken. The return shall be filed on or before April 17, 2002. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)

Filed March 18, 2002

TUESDAY, MARCH 19, 2002

H022033 PEOPLE v. SALCIDO

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed March 19, 2002

H021429 JOLIN, INC. v. RUEGG

The trial court's order on the supplemental request for attorney's fees is affirmed. Each party shall bear its own costs on appeal. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., O'Farrell, J.*)

Filed March 19, 2002

*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

In The Court Of Appeal Of The State Of California 53
Sixth Appellate District
San Jose, California

WEDNESDAY, MARCH 20, 2002

H021715 PEOPLE v. SCHROEDER

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
O'Farrell, J.*)

Filed March 20, 2002

*Judge of the Monterey Superior Court assigned by the Chief
Justice pursuant to Article VI, Section 6 of the California
Constitution.

THURSDAY, MARCH 21, 2002

H022129 PRICE, et al. v. LO DUCA

The judgment of the trial court is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
O'Farrell, J.*)

Filed March 21, 2002

*Judge of the Monterey Superior Court assigned by the Chief
Justice pursuant to Article VI, Section 6 of the California
Constitution.

H022928 PEOPLE v. TILLMAN

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Rushing,
J.)

Filed March 21, 2002

FRIDAY, MARCH 22, 2002

H021239 KAHN, a minor, etc. v. EAST SIDE UNION HIGH SCHOOL
DISTRICT, et al.

By the Court:

Appellant's petition for rehearing is denied.
Filed: March 22, 2002

(Bamattre-Manoukian, Acting P.J. and Wunderlich, J. participated
in this decision. O'Farrell, J.* would have granted the
petition.)

*Judge of the Monterey Superior Court assigned by the Chief
Justice pursuant to Article VI, Section 6 of the California
Constitution.

In The Court Of Appeal Of The State Of California
Sixth Appellate District
San Jose, California

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Friday, March 22, 2002 (continued)

H022066 PEOPLE v. RIVERA

By the Court*:

Appellant's petition for rehearing is denied.

Filed: March 22, 2002

*Before Premo, Acting P.J., Elia, J. and Wunderlich, J.

H022655 PEOPLE v. RANGER INSURANCE COMPANY

By the Court*:

Appellant's petition for rehearing is denied.

Filed: March 22, 2002

*Before Bamattre-Manoukian, Acting P.J. and Wunderlich, J.

H021090 PEOPLE v. NUEY

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed March 22, 2002